

1 MCGREGOR W. SCOTT
2 United States Attorney
PHILLIP A. TALBERT
3 Assistant U.S. Attorney
501 I Street, Suite 10-100
Sacramento, California 95814
4 Telephone: (916) 554-2789

5

6

7 IN THE UNITED STATES DISTRICT COURT
8 FOR THE EASTERN DISTRICT OF CALIFORNIA

9 UNITED STATES OF AMERICA,) CR. No. 2:04-cr-0388-MCE
10 Plaintiff,)
11 v.) STIPULATION TO SET NEW MOTIONS
12) SCHEDULE AND TO EXCLUDE TIME;
CASSANDRA MUNIZ, et al.) ORDER
13 Defendants.)
14 _____)

15 It is hereby stipulated between the parties, Plaintiff United
16 States of America, by and through United States Attorney McGregor W.
17 Scott and Assistant United States Attorney Phillip A. Talbert,
18 Defendant Cassandra Muniz, through her attorney Candace Fry,
19 Defendant Tyson Trotter, through his attorney Barry Voss, Defendant
20 Rogelio Zuniga, through his attorney Frank DiGiacomo, Defendant
21 Caidez Saul Garcia, through his attorney Walter Urban, Defendant
22 Juan Pablo Velazquez, through his attorney Victor Haltom, Defendant
23 Pancho Aceka, through his attorney Daniel Hustwit, Defendant Brady
24 Morse, through his attorney Krista Hart, and Defendant Juan Ayon
25 Sandoval, through his attorney Kirt Hopson, as follows:

26 On June 13, 2006, the Court set a briefing schedule in this
27 matter and a motions hearing date of October 3, 2006, at 8:30 a.m.;
28 ///

1 Earlier, on May 16, 2006, Defendant Cassandra Muniz filed a
2 joinder in six motions previously filed by co-Defendant Angel Gomez,
3 who later entered a guilty plea in the case;

4 The parties are involved in negotiations to attempt to resolve
5 this case;

6 The defendants need additional time to research and prepare
7 possible additional pretrial motions and supporting memoranda, which
8 need will be obviated for any defendant whose case is resolved;

9 The parties request a new briefing schedule and hearing date be
10 set as follows: motions to be filed by November 7, 2006;
11 government's oppositions to be filed by December 12, 2006;
12 defendants' optional reply briefs to be filed by December 19, 2006;
13 and non-evidentiary hearing on the motions set for January 9, 2007,
14 at 8:30 a.m.; and

15 The parties request that time be excluded until the date of
16 hearing for effective preparation of counsel, both with respect to
17 the motions and the case, and due to the case's complexity, pursuant
18 to Local Codes T4 and T2, and 18 U.S.C. §3161(h)(8)(B)(iv) and (ii).

19
20 Dated: September 22, 2006

/s/Candace Fry
CANDACE FRY
Attorney for Defendant
CASSANDRA MUNIZ
By PAT per email authorization

21
22 Dated: September 22, 2006

/s/Barry Voss
BARRY VOSS
Attorney for Defendant
TYSON TROTTER
By PAT per telephone authorization

23
24 Dated: September 22, 2006

/s/Frank DiGiacomo
FRANK DIGIACOMO
Attorney for Defendant
ROGELIO ZUNIGA
By PAT per telephone authorization

1 Dated: September 22, 2006 /s/Walter Urban
2
3 WALTER URBAN
Attorney for Defendant
CAIDEZ SAUL GARCIA
By PAT per telephone authorization

4 Dated: September 22, 2006 /s/Victor Halton
5 VICTOR HALTON
6 Attorney for Defendant
JUAN PABLO VELAZQUEZ
7 By PAT per email authorization

8 Dated: September 22, 2006 /s/Daniel Hustwit
9 DANIEL HUSTWIT
10 Attorney for Defendant
PANCHO ACEKA
11 By PAT per telephone authorization

12 Dated: September 22, 2006 /s/Krista Hart
13 KRISTA HART
14 Attorney for Defendant
BRADY MORSE
15 By PAT per telephone authorization

16 Dated: September 22, 2006 /s/Kirt Hopson
17 KIRT HOPSON
18 Attorney for Defendant
JUAN AYON SANDOVAL
19 By PAT per telephone authorization

20
21
22
23
24
25
26
27
28

McGREGOR W. SCOTT
United States Attorney

Dated: September 22, 2006 /s/Phillip A. Talbert
PHILLIP A. TALBERT
Assistant U.S. Attorney
Attorney for Plaintiff

ORDER

GOOD CAUSE APPEARING, the previously set motions schedule and hearing date of October 3, 2006, are vacated, and a new hearing date of January 9, 2007, at 8:30 a.m. is set with the parties. The motions briefing schedule is as follows: motions to be filed by November 7, 2006; government's oppositions to be filed by December 12, 2006; and defendants' optional reply briefs to be filed by December 19, 2006. Time will be excluded from the date of this Order until January 9, 2007, for effective attorney preparation and complexity under both Local Codes T4 and T2 and 18 U.S.C. §3161(h)(8)(A) and (B)(iv) and (ii).

12 | Dated: September 28, 2006


Morrison C. England, Jr.
UNITED STATES DISTRICT JUDGE